

MICHAEL D. LONG  
CA State Bar #149475  
901 H Street, Suite 301  
Sacramento, CA 95814  
(916) 201-4188  
Mike.Long.Law@msn.com

Attorney for BENJAMIN SARGISSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,	) No. 2:22-cr-00016 DJC
Plaintiff,	)
	) AMENDED STIPULATION AND
v.	) ORDER TO STATUS CONFERENCE
	)
BENJAMIN SARGISSON,	) Requested date: 1-18-2024
Defendant,	) Time: 9:00 a.m.
	) Judge: Hon. Daniel J. Calabretta
=====)	

It is hereby stipulated between the parties, James Conolly, Assistant United States Attorney, and Michael Long, attorney for defendant BENJAMIN SARGISSON that the status conference set for September 28, 2023, at 9:00 a.m. should be continued and re-set for January 18, 2024, at 9:00 a.m.

The parties further agree that this court should make a finding of good cause for the requested extension and that in fact good cause is hereby shown. The government has provided discovery to the defense, including audio and video recordings. Mr. Long continues to read, view and listen to the discovery, investigate the case, order records from county courts and meet with his client. Mr. Long is obtaining county court records from past convictions, and they are needed to represent Mr. Sargisson effectively. Counsel believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the

1 exercise of due diligence. Counsel for the United States does not oppose this requested  
2 continuance.

3 All parties are available to appear in this case on January 18, 2024.

4 Each party further stipulates that the ends of justice served by granting such continuance  
5 outweigh the best interests of the public and of all the defendants in a speedy trial. Time has already  
6 been excluded through September 28, 2023.

7 All parties request the date of January 18, 2024, at 9:00 a.m., for the new status hearing. The  
8 request for extending the date for the status conference is at the specific request the defendant and  
9 with the knowing, intelligent and voluntary waiver of the defendant's speedy trial rights under the  
10 law. Good cause is hereby shown.

11 For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,  
12 within which trial must commence, the time period from the present date through January 18,  
13 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendants' request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 Dated: September 22, 2023

18 Respectfully submitted,

19 /s/ Michael D. Long  
20 MICHAEL D. LONG  
21 Attorney for Benjamin Sargisson

22 Dated: September 22, 2023

23 PHILLIP A. TALBERT  
24 United States Attorney

25 /s/ James Conolly  
26 JAMES CONOLLY  
27 Assistant U.S. Attorney  
28

ORDER

**GOOD CAUSE APPEARING AND HAVING BEEN SHOWN, IT IS SO ORDERED.**

The date for the status hearing in this matter is hereby re-set for January 18, 2024, at 9:00 a.m., before District Court Judge Daniel J. Calabretta.

For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period from the present date through January 18, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Time is hereby excluded through the new hearing date of January 18, 2024.

Dated: September 25, 2023

/s/ Daniel J. Calabretta

---

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE